

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ROGER POOLE, TONY RIPPETO,)
KENNETH RAMSEY, DAVID CRAFTON,)
and JAMES KELLY, in their representative)
capacity as Trustees of the District No. 9,)
International Association of Machinists and)
Aerospace Workers Pension Trust.) **Case No. 3:06-cv-696 WDS**
Plaintiffs,)
v.)
COMMERCIAL TRAILER SERVICES,)
INC, an Illinois corporation,)
Defendant.)

JUDGMENT

Plaintiffs filed this action to recover, inter alia, delinquent contributions and liquidated damages allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§185 and 1132. Plaintiffs also seek to recover attorneys' fees, and costs incurred in this action. Defendant was served with the summons and complaint on September 20, 2006, and has not entered an appearance.

Plaintiffs have established that defendant is bound by collective bargaining agreements with District No. 9 of the International Association of Machinists and Aerospace Workers. These agreements require defendant to submit contributions to the District No. 9 Pension Trust. Based on unpaid reports for the period of January 2006 through August 2006, defendant owes plaintiffs \$11,450.00 in contributions and \$2,290.00 in liquidated damages. The total amount owed by defendant to plaintiffs during this time period is \$13,740.00.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs shall recover from defendant Commercial Trailer Services, Inc. the total of \$13,740.00.

In the event that plaintiffs learn, through examination of defendant's books and records or

otherwise, that additional amounts are owed subsequent August 2006 to the present or beyond, plaintiffs shall be entitled to seek collection of such additional amounts. In addition, pursuant to ERISA, 29 U.S.C. §1132(g)(2), plaintiffs are entitled to collection of their reasonable attorney fees, accounting fees and court costs as determined by the Court, at the conclusion of this litigation.

SO ORDERED:

s/WILLIAM D. STIEHL
UNITED STATES JUDGE

Date: February 23, 2007